

94. (New) The apparatus of claim 89, wherein the light catalyzes the synthesis of a nucleotide base proximate the substrate.

95. (New) The apparatus of claim 89, wherein the light catalyzes the synthesis of an amino acid residue proximate the substrate.

96. (New) The apparatus of claim 89, wherein the light catalyzes a reaction involving a molecule proximate the substrate.

97. (New) The apparatus of claim 89, wherein the light crosslinks a molecule proximate the substrate.

REMARKS

The claims of this Amendment find support in the Application of Garner as filed, specifically, claims 39 - 79 of the co-pending Patent Application, filed February 2, 2001, Serial No. 09/776,202 and claims 1-38 of Provisional Application, filed June 4, 1998, Serial No. 60/087,948. Support for the attached claims may be found throughout the Specification, in the claims and in the co-pending parent application.

Included with this Preliminary Amendment is an Affidavit that establishes the completion of the invention, which is the subject of the Continuation of Patent Application Serial No. 09/776,202, filed February 2, 2001, entitled DIGITAL OPTICAL CHEMISTRY MICROMIRROR IMAGER, which claims priority to Provisional Patent Application Serial No. 60/087,948, filed June 4, 1998 in the United States at a date prior to February 2998, which is the date of the prior art cited by the Examiner in the Office Action, mailed January 2, 2001 in the parent case.

Applicant submits that claims 80 - 97 are fully patentable and respectfully requests entry of the Amendment and advancement of the Application to allowance in light of the enclosed Declaration under 37 C.F.R. § 1.131 by Dr. Harold "Skip" Garner. The photograph attached (Exhibit A), and the annotated equivalent (Exhibit B, annotated by Applicant for the Examiner's

convenience), demonstrate an invention date prior to the effective date of the United States filing date of the Application cited in the Office Action in support of the rejection. The photograph in Exhibit A antedates the effective filing date of the WO 99/41007 Application, dated February 21, 1998. The invention disclosed and claimed in the present Application was used to produce a mask pattern on a substrate on the date even therewith, which is on or before February 21, 1998 (WO 99/41007) and February 23, 1998 (WO 99/42813), which is a date earlier than the effective dates of the references. Therefore, the claims in the present Application are allowable in light of the art cited in the parent case, from which these claims are copies. All pending claims are therefore allowable and withdrawal of the rejection is respectfully requested.

This Amendment does not increase the number of independent claims, does increase the total number of claims and does not present any multiple dependency claims. Accordingly, we have enclosed our firm's check in the amount of \$355.00 for payment of the filing fee for **Small Entity Status**. However, if our calculations are in error and a fee, other than the issue fee, is due, please charge this fee to Deposit Account No. 07-0153.

The Examiner is invited to telephone the undersigned at the telephone number listed below if he or she has any questions or suggested amendments to the claims.

Dated this November 29, 2001.

Respectfully submitted,

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